IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20607 of 2004

Between:

K.Aziz Khan, S/o.Gafoor Khan,
R/o.Gigwal, Kohir (M), Medak District.

..... PETITIONER

AND

1 M/s. Arkay Educational Society, Zaheerabad, rep.by its Joint Secretary Hasan Muqavi, S/o.Mohd. Muqavi, R/o.6-2-977, Khairathabad, Hyderabad.
2 The Joint Collector, Medak at Sangareddy.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to call for the records in proc.No.F3/5872/04, dated 25-10-2004 and after perusing, quash the same by issuing a writ of certiorari or any other appropriate writ, order or order and further direct the 2nd respondent to act in accordance with law.

Counsel for the Petitioner:MR.R.NARASIMHA REDDY

Counsel for the Respondent No.1:MR.VILAS V. AFZUL PURKAR

Counsel for the Respondent No.2: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER

Heard the learned counsel for the petitioner and learned counsel for first respondent and the learned Government Pleader for Revenue. At their request, the writ petition is taken up for disposal at the stage of admission itself.

It is not in dispute that the revision was entertained by the second respondent-Joint Collector against an interim order dated 1.10.2004 passed by the Revenue Divisional Officer, Sangareddy wherein the Revenue Divisional Officer entertained the appeal and stayed the operation of the order dated 22.5.2003 passed by the Mandal Revenue Officer, Kohir. By order dated 22.5.2003, the Mandal Revenue Officer, Kohir ordered for correction of the pahani in column No.13 by incorporating the name of the first respondent.

Since the impugned order is only an interim order, prima facie, the revision filed before the second respondent itself cannot be entertained unless the rights of the parties are finally adjudicated by the Revenue Divisional Officer-Appellate authority. In view of the same, the impugned order passed by the second respondent is set aside and the Revenue Divisional Officer-Appellate authority is directed to dispose of the appeal expeditiously, after hearing the parties. Status quo as on the date of order passed by the Revenue Divisional Officer i.e. 01.10.2004 shall be maintained, till the disposal of the appeal.

The writ petition is accordingly disposed of. No costs.

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A. GOPAL REDDY. J.

10th November, 2004

tsr.

To

1 The Joint Collector, Medak at Sangareddy.

2. The Revenue Divisional Officer, Sangareddy, Medak District.

3. Two C.C.s to Government Pleader for Revenue, High Court Buildings, Hyderabad.(OUT)

4. Two C.D. copies.